IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)
	Plaintiff,) 8:10MJ28)
	vs.) DETENTION ORDER
os	SCAR CALVILLO-RUIZ,)
	Defendant.)
A.	Order For Detention After waiving a detention hearing pursuant Act on March 3, 2010 (Filing No. 12), the 0 detained pursuant to 18 U.S.C. § 3142(e) a	Court orders the above-named defendant
B.	conditions will reasonably assure the	because it finds: ence that no condition or combination of appearance of the defendant as required. t no condition or combination of conditions
C.	U.S.C. § 841(a)(1) carrest imprisonment and a max (b) The offense is a crime of the offense involves a nation of the evidence agate wit: (2) The weight of the evidence agate wit: (3) The history and characteristics of the defendant at may affect wheth the evidence agate with the defendant of the evidence agate with the defendant at the evidence agate with the e	and includes the following: e offense charged: on of methamphetamine in violation of 21 ies a minimum sentence of five years imum of forty years imprisonment. i violence. arcotic drug. arge amount of controlled substances, to inst the defendant is high.
	ties. ———————————————————————————————————	the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse.

DETENTION ORDER - Page 2

The defendant has a significant prior criminal record.
The defendant has a prior record of failure to appear at
court proceedings.
(b) At the time of the current arrest, the defendant was on:
Probation
Parole
Release pending trial, sentence, appeal or completion of
sentence.
(c) Other Factors:
X The defendant is an illegal alien and is subject to
deportation. The defendant is a local align and will be subject to
The defendant is a legal alien and will be subject to deportation if convicted.
X The Bureau of Immigration and Custom Enforcement
(BICE) has placed a detainer with the U.S. Marshal.
Other:
X (4) The nature and seriousness of the danger posed by the defendant's
release are as follows: The nature of the charges in the Complaint.
9-1
X (5) Rebuttable Presumptions
In determining that the defendant should be detained, the Court also relied
on the following rebuttable presumption(s) contained in 18 U.S.C. §
3142(e) which the Court finds the defendant has not rebutted:
X (a) That no condition or combination of conditions will reasonably
assure the appearance of the defendant as required and the safety
of any other person and the community because the Court finds that
the crime involves:
(1) A crime of violence; or
(2) An offense for which the maximum penalty is life
imprisonment or death; or
X (3) A controlled substance violation which has a maximum
penalty of 10 years or more; or
(4) A felony after the defendant had been convicted of two
or more prior offenses described in (1) through (3)
above, and the defendant has a prior conviction for
one of the crimes mentioned in (1) through (3) above
which is less than five years old and which was
committed while the defendant was on pretrial release.
X (b) That no condition or combination of conditions will reasonably
assure the appearance of the defendant as required and the safety
of the community because the Court finds that there is probable cause to believe:
X (1) That the defendant has committed a controlled
substance violation which has a maximum penalty of
10 years or more.
(2) That the defendant has committed an offense under 18
U.S.C. § 924(c) (uses or carries a firearm during and

DETENTION ORDER - Page 3

violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 4, 2010.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge